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An Act Concerning Statewide Communications Interoperability

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §1520, as amended by PL 2007, c. 240, Pt. PP, §1, is further amended to read:

§ 1520.Statewide Radio and Network System Reserve Fund

1. Fund established. The Statewide Radio and Network System Reserve Fund, referred to in this section as the "fund," is established as an internal service fund in the Department of Administrative and Financial Services, Office of Information Technology, referred to in this section as the "office," for the purposes of managing the fund and acquiring, expanding, upgrading and replacing a statewide radio and network system for use by state agencies and for the purpose of reimbursing county and local governments for necessary radio equipment in accordance with subsection 2. The office may charge a fee to agencies using the statewide radio and network system in accordance with an established rate structure. Revenues derived from operations must be used to pay the costs of the lease-purchase to acquire a system, expand, upgrade and replace the system, and to manage the fund.

A. The office shall work closely with all departments and agencies to identify radio and network requirements for the statewide system to ensure that agency program requirements are met to the maximum extent possible. The office shall:

- (1) Ensure that the annual costs of the lease or lease-purchase are paid in a timely manner and that the financial affairs of the fund are properly managed;
- (2) Maintain records of radio and network system requirements for all agencies using the system and make this information available to state agencies;
- (3) Require state agencies to become part of the statewide radio and network system when replacing their current systems or purchasing new systems;
- (4) Acquire, expand, upgrade or replace the statewide radio and network system in accordance with an established replacement plan; ~~and~~
- (5) Transfer radio equipment and network infrastructure into the fund from agencies using the system, purchase, lease, lease-purchase or enter into other financing agreements, in accordance with section 1587, for the acquisition, expansion, upgrade or replacement of the system or any of its components in accordance with paragraph B when it can be demonstrated that any such action or agreement provides a clear cost or program advantage to the State-; and

(6) Ensure that in meeting the purposes set forth in this section:

(a) The ability of agencies of county and local government to communicate with state agencies is enhanced and in no way diminished; and

(b) The counties and local units of government are not required to replace or upgrade their equipment at their own expense solely in order to maintain their ability to communicate with state agencies.

B. The Chief Information Officer, in conjunction with the agencies using the statewide radio and network system, operating as a board that may be referred to as "the Statewide Radio Network Board," shall establish the following:

(1) Standards for statewide radio and network system operations;

(2) Specifications for systems and components to be acquired by the State; and

(3) Standards for the exemption or waiver of state agencies from the requirements of this section.

By January 15, 2002, standards must be developed for statewide radio and network system usage by all state agencies not exempted under subparagraph (3).

C. The office shall establish, through the Department of Administrative and Financial Services, Office of the State Controller, the Statewide Radio and Network System Reserve Fund account. The funds deposited in the account may include, but are not limited to, appropriations made to the account, funds transferred to the account from within the Department of Administrative and Financial Services, funds received from state departments and agencies using the services provided by the office, earnings by the fund from the Treasurer of State's pool and proceeds from the sale of system assets under the administrative control of the fund by the state surplus property program in the Department of Administrative and Financial Services, Bureau of General Services in accordance with paragraph B and other provisions of law.

D. The fund may levy charges according to a rate schedule recommended by the Chief Information Officer and approved by the Commissioner of Administrative and Financial Services against all departments and agencies using the services of the statewide radio and network system.

E. Service charges for the statewide radio and network system must be calculated to provide for system acquisition costs, expansion costs, upgrade costs, necessary capital investment and fund management costs, replacement costs and sufficient working capital for the fund.

F. Each department or agency using the services of the statewide radio and network system must budget adequate funds to pay for costs described in paragraph E.

2. Funding for county and local governments. In addition to the purposes described in subsection 1, a portion of the fund must be used to reimburse county and local governments for the purchase of radio equipment necessary for them to communicate on a statewide radio and network system used by state agencies.

SUMMARY

This bill would require that the Department of Administrative and Financial Services, Office of Information Technology ensure that, in meeting the purposes set forth in the law establishing the Statewide Radio and Network System Reserve Fund, the ability of state agencies and agencies of county and local government to communicate with one another is in no way diminished, and the counties and local units of government are not required to replace or upgrade their equipment at their own expense solely in order to maintain their ability to communicate with state agencies. This bill would require that a portion of the Statewide Radio and Network System Reserve Fund, which is financing the statewide radio and network system used by state agencies, is used to reimburse county and local governments for the purchase of radio equipment necessary for them to communicate on the new network.